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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,601	10/18/2001	Andrew R. Osborn	65.135-013	8260

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EXAMINER

ARTHUR JEANGLAUDE, GERTRUDE

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/982,601

Applicant(s)

OSBORN, ANDREW R.

Examiner

Gertrude Arthur-Jeanglaude

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 51302.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

The disclosure is objected to because of the following informalities: Applicant is required to update the first page of the specification to include the provisional application serial no. at line 6. Appropriate correction is required.

### ***Oath/Declaration***

It does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application number, country, day, month and year of its filing.

The serial number of the provisional application claimed as priority is also omitted in the Oath/Declaration. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Hamanaka et al. (U.S. Patent No. 5,386,566).

As to claim 1, Hamanaka et al. disclose a method of communicating across an operating system using a plurality of processes (501a, 502a, 503a, 504a) as shown in Fig. 24 and a plurality of memory sources (See Fig. 24) disposed within one or

Art Unit: 2144

more processors, the method comprising the steps of: detecting an event within the system (See col. 30, lines 41-50); extracting (executing) an initial process address from one of the memory sources to determine a location of an initial process in response to detecting the event; extracting an initial data address from one of the memory sources to determine a location of initial data to be used in the initial process in response to detecting the event; executing executable code of the initial process located at the initial process address; and extracting a second process address from one of the memory sources to determine a location of a second process to execute prior to the completion of the execution of the executable code of the initial process (See col. 29-col. 30).

As to claims 2, 29-31 Hamanaka et al. disclose extracting a second data address from one of the memory sources to determine a location of second data to use in the second process prior to the completion of the execution of the executable code of the initial process (See col. 30, lines 40-54; col. 35, lines 17-48).

As to claims 3-12, 32-34, Hamanaka et al. disclose in Fig. 1 an address generating circuit 34 connected to memory access circuit 7 via base 32 wherein it is considered the step of extracting the second process address from one of the memory sources is further defined as extracting the second process address from the initial data at the initial data address which includes the step of retrieving an initial data set from the initial data at the initial data address for manipulation during execution of the initial process. Hamanaka et al. further disclose the step of executing executable code of the processes (See col. 21, lines 17-38).

As to claims 13-17, Hamanaka et al. disclose the steps of manipulating the position of the processes such that execution order is modified and re-establishing the process address and the data address for each of the manipulated processes (See col. 13, lines 60-67). Moreover, Hamanaka et al. disclose a communication area 11 which can be used for displaying the execution order to a user such that the user can modify the position of the processes and also displaying the memory source of each of the processors to the user such that the user can manipulate the position of the processes based upon each processor; and the fixed processes remains unchanged (See col. 13, lines 45-58; col. 14, lines 4-7).

As to claims 18-21, 27-28, Hamanaka et al. disclose a method further including the step of modifying at least one of the initial process address and the second process address to a different process address to define a different execution order of the initial and second processes; and further discloses including the steps of measuring a predetermined condition during execution of the second process and modifying at least one of the initial process address and the second process address to retrieve a different process address during the execution of subsequent processes and modifying at least one of the initial process address and the second process address is further defined as modifying at least one of the initial process address and the second process address by extracting a different process address from one of the memory 2 sources whereby the process at the different process address has executed (See col. 6, lines 60-68-col. 7, lines 1-30; col. 8, lines 49-68).

As to claims 22-26, Hamanaka et al. disclose a multiprocessing system and method wherein it discloses the step of beginning the operating system at the execution order in response to detecting a new event and also discloses sub-execution (See col. 6, lines 60-68; col. 7, lines 30-62) (the request table has a plurality of entries each for storing the real address wherein those entries are considered to be in sub-execution order).

As to claim 35, Hamanaka et al. disclose a method of communicating across an operating system using a plurality of processes (501a, 502a, 503a, 504a) as shown in Fig.24 and a plurality of memory sources See Fig. 24 disposed within one or more processors, the method comprising the steps of: detecting an event within the system (See col. 30, lines 41-50); extracting an initial process address from one of the memory sources to determine the location of an initial process in response to detecting the event; extracting an initial data address from one of the memory sources to determine the location of initial data to be used in the initial process in response to detecting the event; executing executable code of the initial process; retrieving the initial data from one of the memory sources at the initial data address; continuing execution of executable code of the initial process with the retrieved initial data to define an initial processed data set (col. 8, lines 24-48); extracting an initial processed data address from one of the memory sources (See col. 30, lines 40-54; col. 35, lines 17-48); writing the initial processed data set (via write circuit 120) to the initial processed data address; extracting a second process address from one of the memory sources to determine the location of a second process to execute prior to the completion of the execution of the

Art Unit: 2144

executable code of the initial process; extracting a second data address from one of the memory sources to determine the location of second data to use in the second process; executing executable code of the second process; retrieving the second data from one of the memory source at the second data address; continuing execution of executable code of the second process with the retrieved second data to define a second processed data set; extracting a second processed data address from one of the memory sources; writing the second processed data set to the second processed data address; extracting a final process address from one of the memory sources to determine the location of a final process to execute; executing executable code of the final process to halt communication of the system until the system detects the event (See col. 29-col.30; see Figs.11, 27)

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Antonov (U.S. Patent No. 5,884,046) discloses an apparatus and method for sharing data and routing messages between a plurality of workstations in a local area network.

Hillis (U.S. Patent No. 5,978,570) discloses a memory system providing page mode memory access arrangement.

Art Unit: 2144

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GAJ

*GAJ*

January 11, 2005

*Gertrude A. Jeanglaude*  
GERTRUDE A. JEANGLAUDE  
PRIMARY EXAMINER